

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NICHOLAS ROLOVICH,

Plaintiff,

v.

WASHINGTON STATE  
UNIVERSITY, an agency of the  
State of Washington,

Defendant.

CASE NO: 2:22-CV-0319-TOR

**ORDER SETTING TELEPHONIC  
SCHEDULING CONFERENCE**

**TELEPHONIC SCHEDULING CONFERENCE**

**DATE: August 9, 2023    TIME: 8:30 AM**

The parties shall call the Court's conference line on the date and time indicated for a mandatory Telephonic Scheduling Conference before Judge Thomas O. Rice. All pro se parties and/or an attorney substantively familiar with the case must participate in the telephonic scheduling conference.

**PHONE NUMBER: (888) 273-3658**

**ACCESS CODE: 2982935**

**SECURITY CODE: 0319**

The use of cellular phones is permitted for telephonic proceedings provided the caller is in an area with adequate cell service and minimal background noise.

1 Neither landline nor cellular phones may not be used in speaker mode or with a  
 2 headset. All phones shall be muted unless addressing the Court.

3 Rule 26(d)(1) prohibits a party from seeking discovery from any source before the  
 4 parties have had their Rule 26(f) conference. The parties shall make their Rule  
 5 26(a)(1) initial disclosures at or within 14 days after this Rule 26(f) conference.

6 To ensure that discovery and trial preparation advances efficiently, the parties shall  
 7 discuss each and every one of the following subjects during the Rule 26(f)  
 8 conference and then file a combined report addressing **each one of these subjects**  
 9 not less than **14 days before** the Scheduling Conference:

- 10 a. whether jurisdiction and venue exist and, if they do exist, the basis for  
 11 each;
- 12 b. whether service of process is complete and, if not, a deadline for  
 13 completion;
- 14 c. a brief description of the claims and defenses;
- 15 d. whether a statute's constitutionality is being challenged, see Fed. R. Civ.  
 16 P. 5.1, and whether the required notice has been provided;
- 17 e. whether any issues should be certified to a state supreme court;
- 18 f. suggested deadline<sup>1</sup> for adding additional parties, amending the  
 19 pleadings, and seeking class certification;
- 20 g. whether all non-government corporate parties have filed the necessary  
 ownership statement, see Fed. R. Civ. P. 7.1;
- h. whether the case involves a minor or incompetent party and whether the  
 appointment of a guardian *ad litem* is necessary, see LCivR 17(c);
- i. discovery:
  - confirmation that initial disclosures, see Fed. R. Civ. P. 26(a)(1),  
 will be accomplished by the time of the hearing;

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<sup>1</sup> All suggested deadlines should be a date certain, e.g. January 1, 2024.

- subjects on which discovery may be needed;
- any issues about preserving discoverable information, including electronically stored information;
- claims of privilege, protection of confidentiality, and proposed confidentiality agreements;
- proposed agreements reached under Fed. R. Evid. 502;
- proposed modifications to the standard discovery procedures, including bifurcation and/or consolidation of discovery, or an increase in the allowed number of depositions (10), interrogatories (25), requests for production (30), or requests for admission (15);
- suggested expert disclosure deadlines; and
- suggested discovery cut-off;

j. anticipated motions and suggested dispositive motion filing deadlines;

k. trial:

- whether a jury has been requested. In cases removed from state court in which a party desires a jury trial, a jury demand must be filed within 30 days after removal, see LCivR 38(d);
- suggested trial date(s) and location;
- anticipated length of trial;
- requests for bifurcation; and
- the need for special audio/visual courtroom technology;

l. the likelihood for settlement and the point at which the parties can conduct meaningful dispute resolution, and

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1 m. any other matters that may be conducive to the just, speedy, and  
2 inexpensive determination of the action.

3 DATED June 30, 2023.



*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge